

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 5 -17 are now in the application. Claim 17 has been added. Claim 17 finds support in claim 6, for example.

Claim 7 has been rewritten in independent form. Support is found, for example, on page 4 of the translated specification. The paragraph bridging lines 30-33 describes the cart that is produced directly with the ion-releasing surface and the paragraph bridging lines 35-38 describes the “retrofit” shopping cart which is provided with a “subsequent coating.”

We now turn to the art rejection, in which claims 5-16 have been rejected as being obvious over D’Urso et al. (US 7,258,731 B2) under 35 U.S.C. § 103. We respectfully traverse.

The reference has a filing date of **July 27, 2004**. This is the earliest date the reference is available. 35 U.S.C. § 102(e). Applicants claim priority rights under 35 U.S.C. § 119 of German application 20 2004 002 438.1. The priority application was filed on **February 16, 2004** and a certified translation was filed with our last response.

In other words, applicants’ claim for priority has been perfected. The reference d’Urso is not available as prior art. The claims are thus allowable over the art of record. The allowance of the claims is solicited.

In view of the foregoing, reconsideration and the allowance of claims 5-17 are solicited.

Petition for extension is herewith made. The extension fee for response of 1 month in the amount of \$65.00 subsequent to the shortened statutory period of pursuant to Section 1.136(a) and in accordance with Section 1.17 is enclosed herewith.

Please charge any other fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,

/Werner H. Stemer/

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WHS:sa

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